

Judiciary: House Bills Nos. 553 and 664.

Game and Fisheries: House Bills Nos. 980, 984 and 1028.

Privileges, Suffrage and Elections: House Bills Nos. 59 and 1021.

Public Lands and Buildings: House Bill No. 1009.

Revenue and Taxation: House Bills Nos. 362, 943 and 986.

State Affairs: House Bill No. 7.

Municipal and Private Corporations: House Bills Nos. 399, 632 and 784; Senate Bill No. 107.

The following committees have filed adverse reports on bill and resolution, as follows:

Insurance: House Bill No. 872.

Public Lands and Buildings: House Simple Resolution No. 147.

REPORTS OF THE COMMITTEE ON ENROLLED BILLS

Committee Room,

Austin, Texas, March 24, 1937.

Hon. R. W. Calvert Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 450, "An Act providing for the amount that may be allowed by County Boards of Trustees to the County Superintendents of Public Instruction for expenditures for office and traveling expenses in certain counties according to the last preceding Federal Census; repealing all laws and parts of laws, General or Special, in conflict herewith, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

Austin, Texas, March 25, 1937.

Hon. R. W. Calvert Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 71, Granting R. W. Briggs and Company permission to implead in Cause No. 14430 in the District Court of the 74th Judicial District.

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

Austin, Texas, March 24, 1937.

Hon. R. W. Calvert Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 507, "An Act to validate the organization and creation of all Junior College Districts created in any manner under the provisions of the Acts of the Forty-first Legislature, 1929, page 648, Chapter 290, and/or under any amendment thereof; validating all proceedings and Acts of the board of trustees of all independent school districts heretofore taken by such boards of trustees in creating or undertaking to create Junior College Districts; validating all proceedings and acts of boards of trustees, boards of education, or other governing bodies of Junior College Districts heretofore taken; validating all bonds voted, authorized and/or sold and/or now outstanding of said Districts; validating all tax levies made in behalf of said College Districts; making certain exceptions, and validating certain Independent and Junior College School Districts and tax assessments and tax levies in such districts, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

FORTY-THIRD DAY

(Friday, March 26, 1937)

The House met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Calvert.

The roll of the House was called and the following Members were present:

Mr. Speaker	Brown
Adkins	Burton
Alexander	Cagle
Alsup	Callan
Amos	Carssow
Baker	Celaya
Beckworth	Cauthorn
Bell	Cathey
Blankenship	Cleveland
Boethel	Colquitt
Bond	Davis of Haskell
Boyer	Davis of Jasper
Bradbury	Davisson
Bradford	of Eastland
Bridgers	Dean
Broadfoot	Deglandon

Derden	McCracken
Dickison	McDonald
Dollins	McFarland
Farmer	McKee
Felty	McKinney
Fox	Metcalf
Fuchs	Moffett
Gibson	Monkhouse
Graves	Morse
Hamilton	Newton
Hankamer	Nicholson
Hanna	Oliver
Harbin	Palmer
Hardin	Patterson of Mills
Harper	Patterson
Harrell	of Travis
Harris of Archer	Petsch
Harris of Dallas	Powell
Harris of Dickens	Prescott
Hartzog	Quinn
Heflin	Ragsdale
Herzik	Reader
Holland	Reed of Bowie
Hoskins	Reed of Dallas
Howard	Rhodes
Huddleston	Riddle
Hull	Roark
Hyder	Ross
Jackson	Russell
James	Rutta
Johnson of Ellis	Schuenemann
Johnson	Settle
of Tarrant	Sharpe
Jones of Angelina	Shell
Jones of Atascosa	Simpson
Jones of Falls	Skaggs
Jones of Wise	Smith of Tarrant
Keefe	Stevenson
Keith	Stinson
Kelt	Stocks
Kenyon	Talbert
Kern	Tarwater
King	Tennant
Knetsch	Tennyson
Lanning	Thornberry
Leonard	Thornton
Little	Waggoner
Loggins	Walker
London	Weldon
Lucas	Westbrook
Mann	Winfree
Mauritz	Wood
McConnell	Worley

Absent

Langdon	Sewell
Pope	

Absent—Excused

Bates	Leath
Davison of Fisher	Leyendecker
England	Mays
Fielden	Morris
Lankford	Smith of Hopkins

Smith	Vale
of Matagorda	

A quorum was announced present.

Prayer was offered by Rev. George W. Coltrin, Chaplain.

LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence on account of important business:

Mr. Davison of Fisher for today, on motion of Mr. Howard.

Mr. Smith of Matagorda for today, on motion of Mr. Kern.

Mr. Smith of Hopkins for today, on motion of Mr. Kern.

Mr. Mays for today, on motion of Mr. Keith.

Mr. Leath for today, on motion of Mr. Wood.

Mr. Vale for today, on motion of Mr. Celaya.

Mr. Lankford for today, on motion of Mr. Tennyson.

Mr. Leyendecker for today, on motion of Mr. Celaya.

Mr. England for today, on motion of Mr. Morse.

Mr. Bradbury for today, on motion of Mr. Loggins.

HOUSE BILLS ON FIRST READING

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Cathey:

H. B. No. 1035, A bill to be entitled "An Act providing that it shall be unlawful to kill quail in Wood County, Texas, except on certain days; providing the number of quail that may be killed in one day; providing penalty for violation of this Act; . . . etc., and declaring an emergency."

Referred to the Committee on Game and Fisheries.

By Mr. Jones of Atascosa:

H. B. No. 1036, A bill to be entitled "An Act repealing the Special law creating the Tilden Independent School District in McMullen County, Texas, same being House Bill No. 620, Chapter 98, page 396, Special Laws Regular Session Thirty-fifth Legislature, and declaring an emergency."

Referred to the Committee on Education.

Mr. Alexander moved to introduce, at this time, and have placed on first reading, House Bill No. 1037.

The motion prevailed by the following vote:

Yeas—101

Adkins	Jones of Wise
Alexander	Keith
Alsup	Kelt
Amos	Kenyon
Beckworth	Kern
Bell	Knetsch
Boethel	Lanning
Boyer	Leonard
Bradbury	Little
Brown	Loggins
Burton	Lucas
Cagle	Mann
Callan	McConnell
Carssow	McDonald
Cathey	McFarland
Cauthorn	McKinney
Cleveland	Metcalfe
Colquitt	Moffett
Davis of Haskell	Monkhouse
Davis of Jasper	Morse
Davisson	Nicholson
of Eastland	Patterson
Deglandon	of Travis
Derden	Petsch
Dickison	Powell
Dollins	Prescott
Fuchs	Ragsdale
Gibson	Reader
Graves	Reed of Bowie
Hamilton	Reed of Dallas
Hanna	Rhodes
Hardin	Roark
Harper	Ross
Harrell	Russell
Harris of Archer	Rutta
Harris of Dallas	Schuenemann
Harris of Dickens	Shell
Hartzog	Simpson
Heflin	Skaggs
Herzik	Stevenson
Holland	Stinson
Howard	Stocks
Huddleston	Talbert
Hyder	Tarwater
Jackson	Tennyson
James	Thornberry
Johnson of Ellis	Walker
Johnson	Weldon
of Tarrant	Westbrook
Jones of Angelina	Winfree
Jones of Atascosa	Wood
Jones of Falls	Worley

Nays—1

Bond

Absent

Baker	Bradford
Blankenship	Bridgers

Broadfoot	McKee
Celaya	Newton
Dean	Oliver
Farmer	Palmer
Felty	Fatterson of Mills
Fox	Pope
Hankamer	Quinn
Harbin	Riddle
Hoskins	Settle
Hull	Sewell
Keefe	Sharpe
King	Smith of Tarrant
Langdon	Tennant
London	Thornton
Mauritz	Waggoner
McCracken	

Absent—Excused

Bates	Mays
Davison of Fisher	Morris
England	Smith of Hopkins
Fielden	Smith
Lankford	of Matagorda
Leath	Vale
Leyendecker	

The Speaker then laid the bill before the House, it was read first time, and referred to the appropriate committee, as follows:

By Mr. Alexander:

H. B. No. 1037, A bill to be entitled "An Act to validate all consolidations or attempts at consolidation of a common school district or districts with a contiguous independent school district created by General or Special Law, after elections held under Article 2806, Title 49, Revised Civil Statutes of Texas, 1925, and amendments thereto, after a majority of the voters in each of said districts voted in favor of such consolidation . . . etc., and declaring an emergency."

Referred to the Committee on Education.

Mr. Jones of Wise moved to introduce, at this time, and have placed on first reading, House Bill No. 1038.

The motion prevailed by the following vote:

Yeas—105

Adkins	Bradbury
Alexander	Bradford
Alsup	Bridgers
Amos	Broadfoot
Baker	Brown
Beckworth	Burton
Bell	Cagle
Boethel	Callan
Boyer	Carssow

Cathey	Little
Cauthorn	Loggins
Cleveland	London
Colquitt	Lucas
Davis of Haskell	Mann
Davisson	McConnell
of Eastland	McFarland
Deglandon	McKinney
Derden	Metcalf
Dickison	Moffett
Dollins	Monkhouse
Fox	Morse
Fuchs	Oliver
Gibson	Patterson
Graves	of Travis
Hamilton	Petsch
Hanna	Powell
Hardin	Prescott
Harper	Ragsdale
Harrell	Reader
Harris of Archer	Reed of Bowie
Harris of Dallas	Reed of Dallas
Harris of Dickens	Rhodes
Hartzog	Roark
Heflin	Ross
Herzik	Russell
Holland	Rutta
Howard	Schuenemann
Huddleston	Shell
Hyder	Simpson
Jackson	Skaggs
James	Stevenson
Johnson of Ellis	Stinson
Johnson	Stocks
of Tarrant	Talbert
Jones of Angelina	Tarwater
Jones of Atascosa	Tennant
Jones of Falls	Tennyson
Jones of Wise	Thornberry
Kelt	Waggoner
Kern	Walker
King	Weldon
Knetsch	Westbrook
Lanning	Winfree
Leonard	Wood

Nays—1

Nicholson

Absent

Blankenship	Langdon
Bond	Mauritz
Celaya	McCracken
Davis of Jasper	McDonald
Dean	McKee
Farmer	Newton
Felty	Palmer
Hankamer	Patterson of Mills
Harbin	Pope
Hoskins	Quinn
Hull	Riddle
Keefe	Settle
Keith	Sewell

Kenyon	Thornton
Sharpe	Worley
Smith of Tarrant	

Absent—Excused

Bates	Mays
Davison of Fisher	Morris
England	Smith of Hopkins
Fielden	Smith
Lankford	of Matagorda
Leath	Vale
Leyendecker	

The Speaker then laid the bill before the House, it was read first time, and referred to the appropriate committee, as follows:

By Mr. Jones of Angelina and Mr. Jones of Wise:

H. B. No. 1038, A bill to be entitled "An Act amending Article 1529, Revised Civil Statutes of 1925, providing for filing of bond by foreign corporation and limiting time for filing bond; providing for forfeiture of permit of foreign corporations to do business in case of failure or refusal to post bond within the specified time, and providing for liability of directors and officers of domestic corporations for franchise taxes, together with penalties and interest in case of failure to notify the State Tax Board of any voluntary or any involuntary liquidation or cessation of business; conferring jurisdiction on the State Tax Board to waive proceedings, and declaring an emergency."

Referred to the Committee on State Affairs.

Mr. Wood moved to introduce, at this time, and have placed on first reading, House Bill No. 1039.

The motion prevailed by the following vote:

Yeas—125

Adkins	Cagle
Alexander	Callan
Alsup	Carssow
Amos	Cathey
Baker	Cauthorn
Beckworth	Celaya
Bell	Cleveland
Blankenship	Colquitt
Boethel	Davis of Haskell
Bond	Davis of Jasper
Boyer	Davisson
Bradford	of Eastland
Broadfoot	Dean
Brown	Deglandon
Burton	Derden

Dickison	McFarland
Dollins	McKee
Farmer	McKinney
Felty	Metcalf
Fox	Moffett
Fuchs	Monkhouse
Gibson	Morse
Graves	Newton
Hamilton	Oliver
Hankamer	Palmer
Hanna	Patterson of Mills
Harbin	Patterson
Hardin	of Travis
Harper	Petsch
Harrell	Powell
Harris of Archer	Prescott
Harris of Dallas	Reader
Heflin	Reed of Bowie
Herzik	Reed of Dallas
Holland	Rhodes
Hoskins	Riddle
Howard	Roark
Huddleston	Ross
Hull	Russell
Hyder	Rutta
Jackson	Schuenemann
James	Settle
Johnson of Ellis	Sharpe
Johnson	Shell
of Tarrant	Simpson
Jones of Angelina	Skaggs
Jones of Atascosa	Smith
Jones of Falls	of Matagorda
Jones of Wise	Smith of Tarrant
Keefe	Stevenson
Keith	Stinson
Kelt	Stocks
Kern	Talbert
King	Tarwater
Knetsch	Tennant
Lanning	Tennyson
Leonard	Thornberry
Little	Thornton
Loggins	Walker
London	Weldon
Lucas	Westbrook
Mann	Winfree
McConnell	Wood
McCracken	Worley
McDonald	

Nays—1

Kenyon

Absent

Bridgers	Pope
Harris of Dickens	Quinn
Hartzog	Ragsdale
Langdon	Sewell
Mauritz	Waggoner
Nicholson	

Absent—Excused

Bates	Davison of Fisher
Bradbury	England

Fielden	Mays
Lankford	Morris
Leath	Smith of Hopkins
Leyendecker	Vale

The Speaker then laid the bill before the House, it was read first time, and referred to the appropriate committee, as follows:

By Mr. Wood:

H. B. No. 1039, A bill to be entitled "An Act requiring the compulsory inspection of all pipes used for the purpose of piping natural gas into or about any school building within this State; requiring reports to be filed by the Board of Trustees; designating with whom the reports are to be filed; naming the person or persons who shall make such inspections; providing a penalty, and declaring an emergency."

Referred to the Committee on Criminal Jurisprudence.

Mr. Hardin moved to introduce, at this time, and have placed on first reading, House Bill No. 1040.

The motion prevailed by the following vote:

Yeas—108

Adkins	Gibson
Alexander	Graves
Alsup	Hamilton
Baker	Hankamer
Beckworth	Hanna
Bell	Harbin
Blankenship	Hardin
Boethel	Harper
Bond	Harrell
Boyer	Harris of Archer
Bridgers	Harris of Dallas
Broadfoot	Harris of Dickens
Brown	Hartzog
Burton	Heflin
Callan	Herzik
Carsow	Hoskins
Cauthorn	Howard
Celaya	Huddleston
Cleveland	Hyder
Colquitt	Jackson
Davis of Haskell	James
Davis of Jasper	Johnson of Ellis
Davisson	Johnson
of Eastland	of Tarrant
Deglandon	Jones of Angelina
Derden	Jones of Atascosa
Dickson	Jones of Falls
Dollins	Jones of Wise
Farmer	Kelt
Felty	Kenyon
Fox	Kern
Fuchs	King

Knetsch	Rhodes
Lanning	Roark
Leonard	Schuenemann
Little	Settle
Loggins	Sharpe
London	Shell
Lucas	Simpson
McDonald	Skaggs
McFarland	Smith
McKinney	of Matagorda
Metcalfe	Stevenson
Moffett	Stinson
Monkhouse	Stocks
Morse	Talbert
Newton	Tennant
Oliver	Tennyson
Palmer	Thornberry
Patterson of Mills	Thornton
Patterson	Walker
of Travis	Weldon
Petsch	Westbrook
Prescott	Wood
Reed of Bowie	Worley
Reed of Dallas	

Nays—11

Amos	McConnell
Dean	McKee
Holland	Ross
Hull	Russell
Keefe	Rutta
Keith	

Present—Not Voting

Powell

Absent

Bradford	Quinn
Cagle	Ragsdale
Cathey	Reader
Langdon	Riddle
Mann	Sewell
Mauritz	Smith of Tarrant
McCracken	Tarwater
Nicholson	Waggoner
Pope	Winfree

Absent—Excused

Bates	Leath
Bradbury	Leyendecker
Davison of Fisher	Mays
England	Morris
Fielden	Smith of Hopkins
Lankford	Vale

The Speaker then laid the bill before the House, it was read first time, and referred to the appropriate committee, as follows:

By Mr. Hardin:

H. B. No. 1040, A bill to be entitled "An Act making it unlawful for any person or persons to remain on the

premises where employed for a period of more than three hours after said employment has been terminated, and after notice in writing has been served by the employer or his authorized agent upon said person or persons, whose employment has been terminated, and prescribing a penalty therefor; and providing that, in said notice, a certain place, other than the employer's place of business where the employee has been employed, shall be designated, at which the person or persons whose employment has been terminated can enter into negotiations with said employer concerning such amount as may be due him by his employer."

Referred to the Committee on Criminal Jurisprudence.

BILLS ORDERED NOT PRINTED

On motion of Mr. Keefe, House Bill No. 1030 was ordered not printed.

On motion of Mr. Bradford, House Bill No. 1023 was ordered not printed.

RELATIVE TO RECALLING SENATE BILL NO. 1 FROM GOVERNOR

Mr. Knetsch offered the following resolution:

H. C. R. No. 77, To recall Senate Bill No. 1 from Governor.

Whereas, Senate Bill No. 1, as finally passed by the Legislature of Texas, repeals all of Chapter 4, Title 12 and being Articles 952 to 967 inclusive, Code of Criminal Procedure; and

Whereas, Articles 955, 956 and 958 of said repealed Articles should not in fact have been repealed, but in fact should be amended so as to conform with the general pardon and parole set up; and

Whereas, In the passage of said Senate Bill No. 1, the Governor's power with reference to pardons, paroles, and reprieves as fixed by the Constitution have been restricted and contrary to the constitutional amendment adopted by the voters of the State of Texas; and

Whereas, Said bill in many respects as finally passed is shown to be impracticable in its application so far as the members of the Board of Pardons and Paroles are concerned; now, therefore, be it

Resolved by the House of Representatives of the State of Texas, the Sen-

ate concurring, That Senate Bill No. 1 be recalled from the Governor's office so that the same may be amended, corrected and reformed as to make it practicable in its application and to conform to the constitutional amendment adopted by the people of this State.

The resolution was read second time.

Mr. McKinney moved that the resolution be referred to the Committee on Penitentiaries.

The motion to refer the resolution prevailed.

TO GRANT PERMISSION TO SUE THE STATE

The Speaker laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 36, To grant Clement Grain Company permission to sue the State.

Whereas, On or about the thirty-first day of May, 1934, J. M. Clement doing business under the name of Clement Grain Company, with place of business at Waco, McLennan County, Texas, entered into contract with the State Board of Control of Texas and the State of Texas for the delivery of three hundred sixty (360) tons of alfalfa hay at Sixteen and seventy-five hundredths (\$16.75) Dollars per ton F. O. B. Carlsbad, and three hundred tons of Johnson grass hay at Twelve (\$12.00) Dollars per ton F. O. B. Carlsbad; and

Whereas, The said Clement Grain Company subsequently completed its contract and delivered said hay as per contract to the State Tuberculosis Sanatorium at Carlsbad, Texas; and

Whereas, Subsequent to entering into the contract and before the delivery of all the hay, the Railroad Commission of Texas made an order reducing freight rates on hay shipped to the drought-stricken areas; and

Whereas, By reason of the reduced freight rates the said Clement Grain Company paid One Thousand Four Hundred Seventy-seven and thirty-one hundredths (\$1,477.31) Dollars less freight on said hay than would have been paid at the time the contract was made and entered into had not the freight rates on hay to the drought-stricken areas of Texas been reduced before the hay was all delivered; and

Whereas, The State Board of Control of Texas did receive said hay and approve of the quality thereof, and

paid all of the purchase price of said hay less One Thousand Four Hundred Seventy-seven and thirty-one hundredths (\$1,477.31) Dollars; and

Whereas, A dispute has arisen between the State Board of Control of Texas and the said Clement Grain Company as to the amount of the balance, if any, owing under this contract by the State Board of Control of Texas and the State of Texas to the said Clement Grain Company; now, therefore, be it

Resolved by the Senate, the House of Representatives concurring, That the Clement Grain Company, or its assigns, is hereby granted permission to bring suit against the State of Texas and the State Board of Control of the State of Texas in a court of competent jurisdiction in McLennan County, Texas, to ascertain and fix the amount, if any, that the State Board of Control of the State of Texas and the State of Texas are indebted to the said Clement Grain Company on account of the refusal of the said Board of Control to pay the Clement Grain Company the sum of One Thousand Four Hundred Seventy-seven and thirty-one hundredths (\$1,477.31) Dollars, the amount of money saved by said Clement Grain Company in the payment of freight on said hay by reason of the reduction of freight rates made by the Railroad Commission of the State of Texas; and that in case such suit be filed, service of citation or other necessary process shall be had upon the Attorney General of the State of Texas and the Chairman of the State Board of Control of the State of Texas, and that the same have the same force and effect as made and provided in civil cases; and provided that each one of the parties to said suit shall have the right to appeal without the execution of bond; and any judgment that shall be finally established against the State Board of Control of Texas and the State of Texas in said suit, shall be liquidated debt and shall be paid by the State Board of Control of Texas out of the maintenance fund for the State Tuberculosis Sanatorium at Carlsbad, Texas.

The resolution was read second time, and was referred, by the Speaker, to the Committee on State Affairs.

CONCERNING CERTAIN TAX SURVEY

The Speaker laid before the House, for consideration at this time, resolution heretofore offered by Mr. Westbrook, relative to certain tax survey.

The resolution having heretofore been read second time and referred to the Committee on Revenue and Taxation.

The Committee on Revenue and Taxation having recommended the adoption of the resolution with the following committee amendment:

Amend the resolution, by adding a new paragraph to read as follows:

"And, be it further resolved, That the said Tax Commissioner be requested to furnish comparative figures upon corporate franchise and for income taxes levied by the several states of the Union."

The amendment was adopted.

Mr. Thornton moved to table the resolution.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—69

Alexander	Howard
Alsup	Hyder
Blankenship	Jackson
Boyer	James
Bradford	Johnson of Ellis
Bridgers	Johnson
Broadfoot	of Tarrant
Cagle	Jones of Angelina
Callan	Jones of Atascosa
Carssow	Keith
Cauthorn	Kenyon
Celaya	Knetsch
Cleveland	Lanning
Colquitt	Leonard
Davisson	Little
of Eastland	Loggins
Derden	McCracken
Dollins	McFarland
Felty	McKinney
Gibson	Moffett
Hankamer	Monkhouse
Hanna	Morse
Harper	Newton
Harris of Archer	Nicholson
Harris of Dallas	Petsch
Harris of Dickens	Prescott
Hartzog	Quinn
Heflin	Reader
Herzik	Riddle
Hoskins	Schuenemann

Sharpe	Tarwater
Shell	Tennant
Smith	Tennyson
of Matagorda	Thornton
Smith of Tarrant	Waggoner
Stocks	Walker

Nays—50

Adkins	Lucas
Amos	Mann
Beckworth	McDonald
Bell	McKee
Boethel	Oliver
Bond	Palmer
Brown	Patterson of Mills
Burton	Patterson
Davis of Haskell	of Travis
Davis of Jasper	Powell
Deglandon	Ragsdale
Fox	Reed of Bowie
Fuchs	Reed of Dallas
Graves	Rhodes
Hamilton	Roark
Harbin	Russell
Hardin	Rutta
Harrell	Simpson
Holland	Skaggs
Jones of Falls	Stinson
Jones of Wise	Talbert
Keefe	Thornberry
Kelt	Weldon
Kern	Westbrook
King	Worley
London	

Absent

Baker	McConnell
Cathey	Metcalfe
Dean	Pope
Dickison	Ross
Farmer	Settle
Huddleston	Sewell
Hull	Stevenson
Langdon	Winfree
Mauritz	Wood

Absent—Excused

Bates	Leath
Bradbury	Leyendecker
Davison of Fisher	Mays
England	Morris
Fielden	Smith of Hopkins
Lankford	Vale

BILLS AND RESOLUTION SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof, and their captions had been read severally, the following enrolled bills and resolution:

H. C. R. No. 75, Concerning use of certain State equipment.

H. B. No. 509, "An Act to declare a closed season on the killing of quail in Montague County, Texas, for a period ending January 16, 1939; prescribing a penalty for the violation of this Act, and declaring an emergency."

H. B. No. 714, "An Act making an emergency appropriation out of the Special Racing Fund of Ten Thousand, Two Hundred Sixty (\$10,260.00) Dollars to the Texas Racing Commission for the remainder of the fiscal year ending August 31, 1937, and declaring an emergency."

S. B. No. 223, "An Act to authorize the counties, cities, towns, independent school districts, common school districts, water improvement districts, water control and improvement districts, navigation districts, road districts, levee districts, drainage districts, and all other municipal corporations, political subdivisions or districts organized and existing under the Constitution and laws of this State, to convey to the United States of America with or without monetary consideration, upon request therefor, title to property, lands, or interest in lands owned by such municipal corporations, political subdivisions or districts, to enable any department or establishment of the United States to carry out the provisions of any Act of Congress in aid of navigation, flood control, or improvement of water courses, and in order to accomplish any and all of the purposes specified in Article 5242 of the 1925 Revised Statutes of Texas, and authorizing any and all such counties, cities, towns, and other public municipal corporations and districts above enumerated to convey with or without monetary consideration to any other of the political subdivisions herein enumerated which, by resolution of its governing body, may have heretofore or may hereafter agree to acquire and convey the same, for ultimate conveyance, to the United States of America; validating any such conveyance heretofore made by any such political subdivision; providing that if any section, word, phrase, or clause in this Act be declared unconstitutional for any reason, the remainder of this Act shall not be affected thereby, and declaring an emergency."

ADDRESS BY THE HONORABLE W. S. BARRON

Speaker Calvert stated that the Honorable W. S. Barron, former Speaker of the House of Representatives, was present on the Speaker's stand and presented Honorable W. T. McDonald of Brazos County, who in turn introduced Honorable W. S. Barron.

Mr. Barron then addressed the House and extended an invitation to the Members of the House and Senate, and their families, and Members of the Press of the two Houses to visit The Agricultural and Mechanical College, at College Station on Saturday, April 10, 1937.

GRANTING PERMISSION TO BRING CERTAIN SUIT

The Speaker laid before the House, for consideration at this time, House Concurrent Resolution No. 49, To grant Jim Moore permission to bring certain suit.

The resolution having heretofore been read second time and referred to the Committee on State Affairs.

The Committee on State Affairs having recommended the adoption of the resolution.

Question recurring on the resolution, it was adopted.

TO GRANT PERMISSION TO SUE THE STATE

The Speaker laid before the House, for consideration at this time, House Concurrent Resolution No. 59, To grant Sam Tobolowsky and James A. Griepotis permission to sue the State.

The resolution having heretofore been read second time and referred to the Committee on State Affairs.

The Committee on State Affairs having recommended the adoption of the resolution.

Question recurring on the resolution, it was adopted.

GRANTING PERMISSION TO SUE STATE

The Speaker laid before the House, for consideration at this time, House Concurrent Resolution No. 76, To grant C. A. Lanier permission to sue the State.

The resolution having heretofore been read second time and referred to the Committee on State Affairs.

The Committee on State Affairs having recommended the adoption of the resolution.

Question recurring on the resolution, it was adopted by the following vote:

Yeas—108

Adkins	Keith
Alexander	Kelt
Alsup	Kenyon
Baker	Kern
Beckworth	King
Bell	Knetsch
Blankenship	Lanning
Boethel	Little
Boyer	London
Bradford	Lucas
Bridgers	Mann
Broadfoot	McCracken
Brown	McKinney
Burton	Metcalfe
Cagle	Moffett
Callan	Monkhouse
Carsow	Morse
Cauthorn	Nicholson
Celaya	Oliver
Cleveland	Palmer
Colquitt	Patterson of Mills
Davis of Haskell	Patterson
Davison	of Travis
of Eastland	Petsch
Deglandon	Powell
Derden	Prescott
Dollins	Quinn
Felty	Reader
Gibson	Reed of Bowie
Hamilton	Reed of Dallas
Hankamer	Rhodes
Hanna	Roark
Harbin	Ross
Hardin	Russell
Harper	Rutta
Harrell	Schuenemann
Harris of Archer	Settle
Harris of Dallas	Sharpe
Harris of Dickens	Shell
Hartzog	Simpson
Heflin	Skaggs
Herzik	Smith
Holland	of Matagorda
Hoskins	Smith of Tarrant
Howard	Stevenson
Huddleston	Stinson
Hyder	Stocks
Jackson	Talbert
James	Tarwater
Johnson of Ellis	Tennant
Johnson	Thornberry
of Tarrant	Thornton
Jones of Angelina	Walker
Jones of Atascosa	Weldon
Jones of Falls	Winfree
Jones of Wise	Worley

Nays—1

Bond

Absent

Amos	Mauritz
Cathey	McConnell
Davis of Jasper	McDonald
Dean	McFarland
Dickison	McKee
Farmer	Newton
Fox	Pope
Fuchs	Ragsdale
Graves	Riddle
Hull	Sewell
Keefe	Tennyson
Langdon	Waggoner
Leonard	Westbrook
Loggins	Wood

Absent—Excused

Bates	Leath
Bradbury	Leyendecker
Davison of Fisher	Mays
England	Morris
Fielden	Smith of Hopkins
Lankford	Vale

PROVIDING FOR CONSIDERATION OF LOCAL AND UNCONTESTED BILLS

Mr. Gibson offered the following resolution:

Whereas, A large number of local and uncontested bills remain undisposed of; therefore, be it

Resolved by the House of Representatives, That next Tuesday evening, March 30, be set aside for the consideration of such bills.

The resolution was read second time, and was adopted.

CONFERENCE COMMITTEE REPORT ON SENATE BILL NO. 282

Mr. Tennyson, Chairman, submitted the following conference committee report on Senate Bill No. 282:

Committee Room,

Austin, Texas, March 26, 1937.

Honorable Walter F. Woodul, President of the Senate,

and

Honorable R. W. Calvert, Speaker of the House of Representatives.

Gentlemen:

We, your Conference Committee, to whom was referred Senate Bill No. 282, have had the same under consideration and we recommend to the

Senate and to the House of Representatives that said bill pass in the form attached hereto.

Respectfully submitted,

ONEAL,
LEMENS,
AIKIN,
ROBERTS,
HEAD,

On the part of the Senate.

TENNYSON,
BOETHEL,
THORNTON,
KERN,

On the part of the House.

S. B. No. 282,

A BILL

To Be Entitled

An Act to amend Article 7256, Revised Civil Statutes of Texas, 1925, as amended by Section 1, Chapter 16, Acts of the First Called Session of the Forty-third Legislature, so as to provide that in counties having a population of more than seventy thousand (70,000), according to the last Federal Census, and containing one or more cities or towns other than the county seat, which has in excess of one thousand (1,000) inhabitants, according to the last Federal Census, the Assessor and Collector of Taxes, with the consent and approval of the Commissioners' Court, may appoint a Deputy Assessor and Collector of Taxes in each such city or town; and defining the duties of such Deputies; and providing for the salaries of such Deputies, and declaring an emergency.

Be It Enacted by the Legislature of the State of Texas:

Section 1. That Article 7256, Revised Civil Statutes of Texas, 1925, as amended by Section 1, Chapter 16, Acts of the First Called Session of the Forty-third Legislature, be and the same is hereby amended so as to hereafter read as follows:

"Article 7256. Office at county seat (Deputy Assessors and Collectors of Taxes in certain towns and cities; bonds; compensation).

Each Assessor and Collector of Taxes shall keep his office at the county seat of his county; and it shall be the duty of every person who failed to attend and to pay his taxes at the

times and places in his precinct named by the Assessor and Collector of Taxes, as provided in the preceding Article, to call at the office of the Assessor and Collector of Taxes and pay the same before the last day of December of the same year for which the assessment is made; provided, however, that in all counties containing a city or town, other than the county seat, which has in excess of seven thousand (7,000) inhabitants according to the last Federal Census, said Assessor and Collector of Taxes, with the consent and approval of the Commissioners' Court, may appoint a Deputy Assessor and Collector of Taxes in such town or city, who shall have the right to collect taxes from all persons who desire to pay their taxes to him, and to issue a valid receipt therefor. Such Deputy shall enter into such bond, payable to the County Judge of the County as the Assessor and Collector of Taxes and Commissioners' Court of the county may require. From each person from whom said Deputy may collect taxes and issue a receipt therefor, said Deputy is authorized to receive a fee of not exceeding twenty-five cents when receipt issued covers property taxes, and he shall receive no other compensation for his services; and further provided he shall not retain more than One Thousand Two Hundred (\$1,200.00) Dollars for any one calendar year, and the balance, if any, shall be deposited to the credit of the General Fund of the county. The Assessor and Collector of Taxes shall remain liable on his bonds for all taxes collected by such Deputy and nothing herein shall be construed as a limitation on the liability of the bonds of either the Assessor and Collector of Taxes or such Deputy. Provided further that in all counties having a population of more than seventy thousand (70,000), according to the last preceding Federal Census, and containing one or more cities or towns, other than the county seat, each of which has in excess of one thousand (1,000) inhabitants, according to the last Federal Census, said Assessor and Collector of Taxes with the consent and approval of the Commissioners' Court may appoint a Deputy Assessor and Collector of Taxes in each such city or town, who shall have the right to collect taxes from all persons who desire to pay taxes to him and to issue a valid receipt therefor; each such Deputy

shall enter into such bond, payable to the County Judge of the county as the Assessor and Collector of Taxes and Commissioners' Court of the county may require. The salary of each such Deputy Assessor and Collector of Taxes shall be fixed by the Commissioners' Court, and each such Deputy Assessor and Collector of Taxes shall be subject to all the terms and provisions of the law relating to Deputy Assessors and Collectors of Taxes, providing that the salaries fixed by the Commissioners' Court for such Deputies provided for herein, in such counties, shall not exceed Two Hundred (\$200.00) Dollars annually for each one thousand (1,000) population, according to the last preceding Federal Census in each of such cities or towns, and further provided that the salary of either of such Deputy Assessor and Collector of Taxes shall not exceed One Thousand Two Hundred (\$1,200.00) Dollars per year. The Assessor and Collector of Taxes shall remain liable on his bonds for all taxes collected by such Deputy, and nothing herein shall be construed as a limitation on the liability of the bonds of either the Assessor and Collector of Taxes or such Deputy.

Section 2. The fact that the present law does not provide for the appointment of a Deputy Assessor and Collector of Taxes to serve in cities outside the county seat in counties having a population of more than seventy thousand (70,000), according to the last Federal Census, and it is thus made inconvenient for such taxpayers in said counties to pay their taxes, creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and said Rule is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted."

On motion of Mr. Tennyson, the report was adopted by the following vote:

Yeas—116

Adkins	Bond
Alexander	Boyer
Alsup	Bradford
Amos	Bridgers
Baker	Broadfoot
Beckworth	Brown
Bell	Burton
Blankenship	Callan
Boethel	Carssow

Cauthorn	Loggins
Celaya	London
Cleveland	Lucas
Colquitt	Mann
Davis of Jasper	McCracken
Davisson	McDonald
of Eastland	McFarland
Dean	McKinney
Deglandon	Metcalf
Derden	Moffett
Dickison	Morse
Dollins	Nicholson
Felty	Oliver
Gibson	Patterson of Mills
Graves	Patterson
Hamilton	of Travis
Hankamer	Petsch
Hanna	Powell
Harbin	Prescott
Hardin	Quinn
Harper	Ragsdale
Harrell	Reed of Bowie
Harris of Archer	Reed of Dallas
Harris of Dallas	Rhodes
Harris of Dickens	Roark
Hartzog	Ross
Heflin	Russell
Herzik	Rutta
Holland	Schuenemann
Howard	Settle
Huddleston	Sharpe
Hull	Shell
Hyder	Simpson
Jackson	Skaggs
James	Smith
Johnson of Ellis	of Matagorda
Johnson	Smith of Tarrant
of Tarrant	Stevenson
Jones of Angelina	Stinson
Jones of Atascosa	Stocks
Jones of Falls	Talbert
Jones of Wise	Tarwater
Keefe	Tennant
Keith	Tennyson
Kelt	Thornton
Kenyon	Walker
Kern	Weldon
King	Westbrook
Knetsch	Winfree
Lanning	Wood
Little	Worley

Absent

Cagle	McKee
Cathey	Monkhouse
Davis of Haskell	Newton
Farmer	Palmer
Fox	Pope
Fuchs	Reader
Hoskins	Riddle
Langdon	Sewell
Leonard	Thornberry
Mauritz	Waggoner
McConnell	

Absent—Excused

Bates	Leath
Bradbury	Leyendecker
Davison of Fisher	Mays
England	Morris
Fielden	Smith of Hopkins
Lankford	Vale

RELATIVE TO POLICY OF
PRESIDENT FRANKLIN
D. ROOSEVELT

The Speaker laid before the House, for consideration at this time, resolution heretofore offered by Mr. Jones of Atascosa, concerning the policy of President Franklin D. Roosevelt.

The resolution having heretofore been read second time and referred to the Committee on Federal Relations.

The Committee on Federal Relations having recommended the adoption of the resolution.

On motion of Mr. Jones of Atascosa, the resolution was postponed until 10:00 o'clock a. m., Wednesday, March 31, 1937.

SPECIAL ORDER SET

Mr. Westbrook moved that House Bill No. 662 be set as special order for 11:00 o'clock a. m., Tuesday, March 30.

The motion prevailed.

HOUSE BILL NO. 655 WITH SEN-
ATE AMENDMENTS

Mr. Herzik called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 655, A bill to be entitled "An Act providing for the amount that may be allowed by County Boards of Trustees to the County Superintendents of Public Instruction for expenditures for office and traveling expenses in certain counties according to the last preceding Federal Census; repealing all laws and parts of laws, General or Special, in conflict therewith, and declaring an emergency."

The Speaker laid the bill before the House with the Senate amendments.

On motion of Mr. Herzik, the House concurred in the Senate amendments by the following vote:

Yeas—121

Adkins	Amos
Alexander	Baker
Alsup	Beckworth

Bell	King
Blankenship	Lanning
Boethel	Leonard
Boyer	Little
Bradford	Loggins
Bridgers	London
Broadfoot	Lucas
Brown	Mann
Burton	McConnell
Cagle	McCracken
Callan	McDonald
Carssow	McFarland
Cathey	McKinney
Cauthorn	Metcalf
Celaya	Moffett
Cleveland	Monkhouse
Colquitt	Morse
Davis of Haskell	Newton
Davis of Jasper	Nicholson
Dean	Palmer
Deglandon	Patterson of Mills
Derden	Petsch
Dickison	Powell
Dollins	Prescott
Farmer	Quinn
Felty	Reader
Fox	Reed of Bowie
Gibson	Reed of Dallas
Hamilton	Rhodes
Hankamer	Riddle
Hanna	Roark
Harbin	Ross
Hardin	Russell
Harper	Rutta
Harrell	Schuenemann
Harris of Archer	Settle
Harris of Dallas	Sharpe
Harris of Dickens	Shell
Hartzog	Simpson
Heflin	Skaggs
Herzik	Smith
Holland	of Matagorda
Hoskins	Smith of Tarrant
Howard	Stevenson
Hull	Stinson
Hyder	Stocks
Jackson	Talbert
James	Tarwater
Johnson of Ellis	Tennant
Johnson	Tennyson
of Tarrant	Thornberry
Jones of Angelina	Thornton
Jones of Atascosa	Walker
Jones of Falls	Weldon
Jones of Wise	Westbrook
Keefe	Winfree
Keith	Wood
Kelt	Worley
Kenyon	

Absent

Bond	Fuchs
Davisson	Graves
of Eastland	Huddleston

Kern	Patterson
Knetsch	of Travis
Langdon	Pope
Mauritz	Ragsdale
McKee	Sewell
Oliver	Waggoner

Absent—Excused

Bates	Leath
Bradbury	Leyendecker
Davison of Fisher	Mays
England	Morris
Fielden	Smith of Hopkins
Lankford	Vale

MESSAGE FROM THE SENATE

Austin, Texas, March 26, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has adopted the conference committee report on Senate Bill 282 by the following vote: Yeas, 29; Nays, 0.

Has concurred in House amendments to Senate Bill No. 99 by the following vote: Yeas, 22; Nays, 6.

Senate has refused to concur in House amendments to Senate Concurrent Resolution No. 1, and requests the appointment of a conference committee to adjust the differences between the two Houses. The following have been appointed, on the part of the Senate:

Senators Rawlings, Nelson, Woodruff, Moore and Weinert.

Respectfully,

BOB BARKER,

Secretary of the Senate.

HOUSE BILL NO. 4 ON PASSAGE TO ENGROSSMENT

The Speaker laid before the House, an unfinished business, on its passage to engrossment,

H. B. No. 4, A bill to be entitled "An Act providing a title for the Act; providing for the imposition of a franchise tax; providing that certain corporations shall be exempt from the Act but requiring the exemption to be proven by the claimant; and repealing all existing exemptions or special credits; providing definitions for certain words, terms and phrases; providing certain deductions in computing net income; providing certain allowable deductions; providing a method of computing the net income of insurance corporations; providing for the use of

fiscal or calendar accounting periods; . . . etc., and declaring an emergency."

The bill having heretofore been read second time, with amendment by Mr. Stinson, pending.

Mr. Jones of Wise moved to table the amendment by Mr. Stinson.

Question recurring on the motion to table, yeas and nays were demanded.

The roll of the House was called, and the vote announced as follows: Yeas, 65; Nays, 62.

A verification of the vote was requested.

The roll of the "yeas" and "nays" was again called, and the verified vote resulted as follows:

Yeas—64

Adkins	Kern
Amos	King
Baker	Lanning
Beckworth	Loggins
Bell	London
Boethel	Lucas
Bond	McConnell
Bradford	Metcalfe
Broadfoot	Moffett
Brown	Monkhouse
Burton	Oliver
Cagle	Palmer
Callan	Patterson of Mills
Cauthorn	Patterson
Cleveland	of Travis
Davis of Jasper	Petsch
Deglandon	Prescott
Derden	Rhodes
Farmer	Roark
Graves	Ross
Hamilton	Russell
Harbin	Rutta
Hardin	Sharpe
Harrell	Simpson
Harris of Archer	Skaggs
Herzik	Stocks
Holland	Talbert
Jones of Angelina	Tarwater
Jones of Falls	Thornberry
Jones of Wise	Weldon
Keefe	Westbrook
Keith	Worley
Kelt	

Nays—61

Alexander	Dickison
Alsup	Dollins
Blankenship	Felty
Boyer	Fox
Bridgers	Fuchs
Celaya	Gibson
Colquitt	Hankamer
Davis of Haskell	Hanna
Dean	Harris of Dallas

Harris of Dickens	Morse
Hartzog	Newton
Heflin	Nicholson
Hoskins	Quinn
Howard	Reader
Huddleston	Reed of Bowie
Hull	Reed of Dallas
Hyder	Riddle
Jackson	Schuenemann
James	Settle
Johnson of Ellis	Shell
Jones of Atascosa	Smith
Kenyon	of Matagorda
Knetsch	Smith of Tarrant
Leonard	Stevenson
Little	Stinson
Mann	Tennant
McCracken	Tennyson
McDonald	Thornton
McFarland	Walker
McKee	Winfree
McKinney	Wood

Present—Not Voting

Johnson	Powell
of Tarrant	

Absent

Carssow	Mauritz
Cathey	Pope
Davisson	Ragsdale
of Eastland	Sewell
Harper	Waggoner
Langdon	

Absent—Excused

Bates	Leath
Bradbury	Leyendecker
Davison of Fisher	Mays
England	Morris
Fielden	Smith of Hopkins
Lankford	Vale

PAIRED

Mr. Johnson of Tarrant (present), who would vote "nay", with Mr. Morris (absent), who would vote "yea".

Mr. Powell (present), who would vote "yea", with Mr. Waggoner (absent), who would vote "nay".

The Speaker announced that the motion to table prevailed.

Question—Shall House Bill No. 4 pass to engrossment?

MESSAGE FROM THE GOVERNOR

The Speaker laid before the House, and had read the following message from the Governor:

Austin, Texas, March 26, 1937.

To the Members of the Forty-fifth Legislature:

I am disapproving and returning herewith Senate Bill No. 1. I dislike to

veto any legislation, particularly one which is designed to put into effect the people's will with reference to constitutional amendments directly voted. I am sure all of us would like to see a bill enacted to put the constitutional amendment into effect; but I am equally sure all of us want to see the job done right. In the past by ill considered legislation we have sometimes gotten matters into worse confusion than if a bill had not been passed at all. In many respects I think Senate Bill No. 1 is in that condition.

Several days ago I invited the members of the free conference committee into my office and suggested that the bill be withdrawn for certain corrections. Later I reduced this request to writing; in view of the fact that no such action has been had I am compelled to respectfully veto this measure for the following reasons:

FIRST:

The body of this bill attempts to repeal all of Chapter 4, Title 12, being Articles 952 to 967, inclusive, of the Code of Criminal Procedure. I have carefully read and considered these repealed statutes and have concluded that Articles 955, 956 and 958 should not be repealed in toto, but should be amended to conform with the general scheme or setup under the amendment to the Constitution under which this bill has been enacted. Also, Article 981 is a wholesome statute and should not be repealed. All of these Articles would be completely repealed by the passage of Senate Bill No. 1, and there would be no adequate legislation on the subjects covered by them.

SECOND:

In Section 3 of the bill, the Legislature has sought to restrict the Governor's constitutional power to "grant reprieves, commutations of punishment and pardons" upon the written signed recommendation of the Board, or a majority thereof. This attempted restriction is due to the fact that Section 3, which is a legislative enactment of part of the constitutional amendment, is split into separate sentences, and a comma is put in the bill where a semicolon is used in the constitutional amendment; and a period is put in the bill where a comma is used in the constitutional amendment, and the word "and" is completely left out.

In other words, under the constitutional amendment the Governor's power to "grant reprieves, commuta-

tions of punishment and pardons" cannot be restricted by "such rules as the Legislature may prescribe." It is only the power to "remit fines and forfeitures" which is subject to "such rules as the Legislature may prescribe." Yet, in Senate Bill No. 1 the Legislature does limit the Governor's authority to "grant reprieves, commutations of punishment and pardons" by providing that the same "shall be under such rules as the Legislature shall prescribe."

THIRD:

Section 13-a, providing for the eligibility of long term convicts to parole, is materially different from the present law, and much more liberal. Under the present law all prisoners receiving a sentence in excess of 25 years, including sentences of natural life, are eligible for parole at the expiration of 19 years servitude, in which overtime and commutations are considered. Your attention is directed to the fact that under Senate Bill No. 1 the maximum sentence is raised from 25 to 30 years, and the eligibility of the convict for a parole is reduced from 19 to 10 years. Under this section of the bill, if it becomes a law, it is possible for a convict with a maximum sentence of more than 30 years to be eligible for parole in 5 or six years.

FOURTH:

Nowhere in the bill is the Governor required to approve or veto the granting of a parole by the Board. Indeed, under Section 17 of Senate Bill No. 1 the Board is given absolute power and authority to issue paroles without any requirement anywhere in the bill for the approval of the Governor. It will be remembered that when the amendment was submitted to the people the argument was made in committee and on the floor of the Senate that the Board's actions should be checked by the Governor.

FIFTH:

Section 19 of Senate Bill No. 1 attempts to give to a parole supervisor the power to revoke paroles. It also gives the Board power to revoke paroles. The amendment adopted by the people conferred this authority upon the Governor, and, clearly, the Legislature cannot delegate this power to the parole supervisor, the Board, or to any other agency.

SIXTH:

Section 23 is a clear attempted infringement upon the constitutional

powers of both the Board and the Governor in that it restricts the power of clemency to a prisoner on parole by providing that clemency shall not be granted in any case "until the prisoner has faithfully complied with the terms of his parole for at least two calendar years."

SEVENTH:

Section 24 requires the Governor to file with the Secretary of State a written statement of his reasons for granting or refusing clemency in a particular case. Under the old section of the Constitution the Governor was required to file a proclamation setting forth his reasons for granting clemency. This has been omitted from the present constitutional amendment, and I doubt the authority of the Legislature to make this requirement by statute. I can see no good reasons, however, why the Governor should not file a statement of his reasons for granting clemency; but there are occasions when it would be best for the protection of protesting members of society, or for the safety of himself or his family, when the Governor should not be required to set out his reasons for refusing clemency.

EIGHTH:

Location of the Board. Section 7 provides that:

"The Board shall maintain its office as it shall find most convenient and appropriate for the performance of its duties and to effectuate the purposes of this Act."

It is not sound public policy for the Legislature to delegate the location of this constitutional office to the Board; especially under the peculiar circumstances which have been attendant upon the controversy in the Legislature over the location of this particular board. To place this burden upon the members of the Board is unfair to them. It will not settle the question! It leaves it unsettled; whereas, if the Legislature should definitely locate the Board at the seat of government it would be settled and it would require a legislative act to make a change.

We are all familiar with the history of this controversy. The Senate has believed the Board's offices should be located at Austin. The House voted that it should be located in Huntsville. It is the duty of the Legislature, not the Board, to fix the location of its offices. If this bill should be-

come a law and the location of the offices left to the Board, it is apparent that its members will be besieged by one faction or another to either move, or maintain, the offices in either Austin or Huntsville. Other cities, such as Houston, may even conceivably insist, and perhaps offer inducements to have the Board locate its offices at such places. I do not believe the Board can function effectively if they are to be continually confronted with pressure not only from some members of the Legislature but from interested citizens to change the location of the Board's offices at any time.

My views on the subject of location are well known. I have no objection to the Legislature requiring a majority of the Board to spend a reasonable amount of time on prison properties, but, since the Governor has the final responsibility, I think the Board's offices should be located in Austin.

NINTH:

Section 15 imposes a number of duties upon the Board which, in my opinion, will destroy its efficiency. I do not believe the Board can properly function if it is to be hamstrung and circumscribed by the onerous provisions of this Section.

Particularly the provision "that it shall be mandatory upon the Board to visit and spend 15 calendar days of each month upon prison properties personally interviewing said convicts," etc., and providing that "if any member of said Board shall violate any provisions of this Section he shall be deemed guilty of a misdemeanor," etc.

The courts have held that calendar days mean days of 24 hours each. Unquestionably this section of the law would require the members of the Board to visit and spend 15 calendar days of 24 hours each "upon prison properties personally interviewing said convicts." It will generally require one day to go and one to return from prison properties. Indeed, under the strict terms of the Act the time spent in going from one prison property to another cannot even be counted as part of the calendar days spent "upon prison properties personally interviewing said convicts." There will be at least two Sundays, and sometimes three, in each month, thus making a total of at least 19 calendar days, exclusive of holidays, during which the entire membership of the Board will be required to be out of the offices if they should locate same in Austin.

Even if they were located in Huntsville, the time spent in the offices on prison properties studying records or interviewing people other than convicts could not be counted as part of the "15 calendar days of each month upon prison properties personally interviewing said convicts."

It has been argued that under the general provision of the bill that a majority shall constitute a quorum, two members of the Board could comply with the terms of this section. I am certain they could not. In this section we have a special provision dealing with the subject matter, and the rule is unquestioned that a special provision controls a general provision; and the concluding sentence of Section 15 provides that "if any member of said Board shall violate any provision of this section he shall be deemed guilty of a misdemeanor." I have no doubt that under this provision any member of the Board could be prosecuted for failure to comply with any provision of Section 15 and for failure to actually spend 15 calendar days actually interviewing convicts on prison properties. I submit this is absurd. In addition, I submit that at least one member of the Board should be available at the office in Austin at all times. It will be perfectly agreeable to let them alternate.

Again, I submit that this section is clearly too hostile to the members of the Board. If this amendment is to achieve the success hoped for by the people it will depend upon the high type of service which must be secured from patriotic men serving on the Board. I think we have that type of men. They are now constitutional officers, and there is no more reason to subject them to criminal prosecution for failure to comply with every ministerial duty imposed upon them than to make like provision in each statute dealing with every department. The members of this Board are subject to the same general penal statutes to which other officers are subject. They are likewise subject to impeachment for wilful or arbitrary failure to perform their duties.

I urge that this bill be withdrawn and this criminal feature be eliminated from it; that it be clearly provided that a majority of the Board shall spend a reasonable and sufficient time on prison properties to personally interview prisoners and to discharge

other necessary duties on prison properties.

TENTH:

Hostility toward the membership of the Board, whether intended or not, is, in my opinion, manifest again in the concluding sentence of Section 2, which was put in for the first time in free conference. It reads:

"Provided further that the members of said Board . . . shall not receive any retainer, money, fee, commission or anything of value for representing any person or corporation, or association of persons, in the courts of this State or before said Board, and shall not accept, contract or perform any other employment or outside service whatsoever."

I think, as a general proposition, part of this section is all right, but the intimation that any member of the Board might receive pay for representation "before said Board" is an unnecessary reflection on these gentlemen. Any such conduct is already subject to prosecution under the bribery statutes.

There are a number of other minor defects in the bill, but the ones enumerated herein are, in my judgment, so outstanding that I should not approve this bill. I, therefore, respectfully disapprove, veto and return the same herewith.

Respectfully,

JAMES V. ALLRED,
Governor of Texas.

EXCUSING EMPLOYEES

Mr. Smith of Tarrant offered the following resolution:

Whereas, Today, Friday, March 26, being Good Friday; and

Whereas, The Legislature is likely to adjourn at noon until next Monday; and

Whereas, Many of the employees of the House plan on returning home for Easter Sunday; therefore, be it

Resolved by the House, That in case the House adjourns today until Monday that all employees of the House be excused until Monday morning, March 29, with the understanding that all stenographers work as late today as necessary to complete all of their work, and that the Speaker be empowered to retain such employees as are necessary.

SMITH of Tarrant,
HARPER,
QUINN,
KERN,

HUDDLESTON,
AMOS,
PRESCOTT,
JONES of Falls,
PALMER,
SKAGGS,
McCRACKEN,
WINFREE,
ROARK,
DOLLINS.

The resolution was read second time.

Mr. Moffett moved to table the resolution by Mr. Smith of Tarrant.

The motion to table was lost.

Question recurring on the resolution, it was adopted.

HOUSE BILL NO. 615 ON SECOND READING

(By unanimous consent)

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 615, A bill to be entitled "An Act making an emergency appropriation to pay court costs accrued in the case of State of Texas versus Atlantic Oil Producing Company, et al, No. 53453, which case was tried in the District Court of Travis County and is now on appeal in the Court of Civil Appeals, and declaring an emergency."

The bill was read second time.

Mr. Thornberry offered the following committee amendment to the bill:

Amend House Bill No. 615, by adding to Section 1 the following: "For printing State Brief to file in the Court of Civil Appeals, the additional sum of \$200.00 or as much thereof as may be necessary, is hereby appropriated out of the General Fund in the State Treasury, not otherwise appropriated, for said purpose."

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

House Bill No. 615 was then passed to engrossment.

HOUSE BILL NO. 615 ON THIRD READING

Mr. Thornberry moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 615 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—122

Adkins	Jones of Wise
Alsup	Keefe
Amos	Keith
Baker	Kelt
Beckworth	Kenyon
Bell	Kern
Blankenship	King
Boethel	Lanning
Bond	Leonard
Boyer	Little
Bradford	Loggins
Broadfoot	London
Brown	Lucas
Burton	Mann
Cagle	McConnell
Callan	McCracken
Carssow	McDonald
Cauthorn	McFarland
Celaya	McKee
Cleveland	McKinney
Colquitt	Metcalf
Davis of Haskell	Moffett
Davis of Jasper	Monkhouse
Davisson	Morse
of Eastland	Newton
Dean	Oliver
Deglandon	Palmer
Derden	Patterson of Mills
Dickison	Patterson
Dollins	of Travis
Farmer	Petsch
Felty	Powell
Fox	Quinn
Fuchs	Ragsdale
Gibson	Reader
Graves	Reed of Bowie
Hamilton	Reed of Dallas
Hankamer	Rhodes
Harbin	Roark
Hardin	Ross
Harrell	Russell
Harris of Archer	Rutta
Harris of Dallas	Schuenemann
Harris of Dickens	Settle
Hartzog	Sharpe
Heflin	Shell
Holland	Simpson
Hoskins	Skaggs
Howard	Smith
Huddleston	of Matagorda
Hull	Smith of Tarrant
Hyder	Stevenson
Jackson	Stinson
James	Stocks
Johnson of Ellis	Talbert
Johnson	Tarwater
of Tarrant	Tennant
Jones of Angelina	Tennyson
Jones of Atascosa	Thornberry
Jones of Falls	Thornton

Walker
Weldon
Westbrook

Winfree
Wood
Worley

Absent

Alexander	Mauritz
Bridgers	Nicholson
Cathey	Pope
Hanna	Prescott
Harper	Riddle
Herzik	Sewell
Knetsch	Waggoner
Langdon	

Absent—Excused

Bates	Leath
Bradbury	Leyendecker
Davison of Fisher	Mays
England	Morris
Fielden	Smith of Hopkins
Lankford	Vale

The Speaker then laid House Bill No. 615 before the House on third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—120

Adkins	Hamilton
Alexander	Hardin
Alsup	Harrell
Amos	Harris of Archer
Baker	Harris of Dallas
Beckworth	Harris of Dickens
Bell	Hartzog
Blankenship	Heflin
Boethel	Herzik
Bond	Holland
Boyer	Hoskins
Bradford	Howard
Broadfoot	Huddleston
Brown	Hyder
Burton	Jackson
Cagle	James
Callan	Johnson of Ellis
Carssow	Johnson
Cauthorn	of Tarrant
Celaya	Jones of Angelina
Cleveland	Jones of Atascosa
Colquitt	Jones of Falls
Davis of Haskell	Jones of Wise
Davis of Jasper	Keefe
Davisson	Keith
of Eastland	Kelt
Dean	Kenyon
Derden	Kern
Dickison	King
Dollins	Lanning
Farmer	Leonard
Felty	Little
Fox	Loggins
Fuchs	London
Gibson	Lucas
Graves	Mann

McConnell	Russell
McCracken	Rutta
McDonald	Schuenemann
McFarland	Settle
McKee	Sharpe
McKinney	Shell
Metcalfe	Simpson
Moffett	Skaggs
Monkhouse	Smith
Morse	of Matagorda
Newton	Smith of Tarrant
Oliver	Stevenson
Palmer	Stinson
Patterson of Mills	Stocks
Patterson	Talbert
of Travis	Tarwater
Petsch	Tennant
Powell	Tennyson
Quinn	Thornberry
Ragsdale	Thornton
Reader	Walker
Reed of Bowie	Weldon
Reed of Dallas	Westbrook
Rhodes	Winfree
Roark	Wood
Ross	Worley

Absent

Bridgers	Langdon
Cathey	Mauritz
Deglandon	Nicholson
Hankamer	Pope
Hanna	Prescott
Harbin	Riddle
Harper	Sewell
Hull	Waggoner
Knetsch	

Absent—Excused

Bates	Leath
Bradbury	Leyendecker
Davison of Fisher	Mays
England	Morris
Fielden	Smith of Hopkins
Lankford	Vale

HOUSE BILL NO. 1020 ON SECOND READING

On motion of Mr. Palmer, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 1020, A bill to be entitled "An Act making an appropriation of One Hundred Thousand (\$100,000.00) Dollars out of the Texas Old Age Assistance Fund, to be used by the Texas Old Age Assistance Commission for payment of seasonal administrative expenses for the remainder of the present fiscal year, ending August 31, 1937; making provision for expenditure and use of this appropriation in

addition to the sums of money already appropriated for administrative expenses of the Texas Old Age Assistance Commission for the remainder of the present year ending August 31, 1937, and declaring an emergency."

On motion of Mr. Palmer, the Twenty-four Hour House Rule, relative to the consideration of printed bills, was suspended, at this time, for the purpose of considering House Bill No. 1020.

The Speaker then laid the bill before the House, it was read second time, and was passed to engrossment.

HOUSE BILL NO. 1020 ON THIRD READING

Mr. Palmer moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 1020 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—110

Adkins	Hardin
Alexander	Harrell
Alsup	Harris of Dallas
Amos	Harris of Dickens
Baker	Hartzog
Beckworth	Herzik
Bell	Holland
Blankenship	Hoskins
Boethel	Howard
Bond	Huddleston
Boyer	Hyder
Bridgers	Jackson
Broadfoot	James
Brown	Johnson of Ellis
Burton	Johnson
Callan	of Tarrant
Carsow	Jones of Angelina
Cauthorn	Jones of Falls
Celaya	Jones of Wise
Cleveland	Keefe
Colquitt	Keith
Davis of Jasper	Kelt
Davisson	Kenyon
of Eastland	Kern
Dean	King
Deglandon	Lanning
Derden	Leonard
Dickison	Little
Dollins	Loggins
Felty	London
Fox	Lucas
Fuchs	Mann
Gibson	McConnell
Graves	McCracken
Hamilton	McDonald
Hankamer	McFarland
Harbin	McKinney

Metcalfe	Sharpe
Moffett	Simpson
Monkhouse	Skaggs
Morse	Smith
Newton	of Matagorda
Palmer	Smith of Tarrant
Patterson	Stevenson
of Travis	Stinson
Petsch	Stocks
Powell	Talbert
Quinn	Tarwater
Reader	Tennyson
Reed of Dallas	Thornberry
Rhodes	Thornton
Roark	Walker
Ross	Weldon
Russell	Westbrook
Rutta	Winfree
Schuenemann	Wood
Settle	Worley

Nays—7

Bradford	Patterson of Mills
Farmer	Reed of Bowie
Hanna	Tennant
Harris of Archer	

Absent

Cagle	McKee
Cathey	Nicholson
Davis of Haskell	Oliver
Harper	Pope
Heflin	Prescott
Hull	Ragsdale
Jones of Atascosa	Riddle
Knetsch	Sewell
Langdon	Shell
Mauritz	Waggoner

Absent—Excused

Bates	Leath
Bradbury	Leyendecker
Davison of Fisher	Mays
England	Morris
Fielden	Smith of Hopkins
Lankford	Vale

The Speaker then laid House Bill No. 1020 before the House on third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—115

Adkins	Boyer
Alexander	Bradford
Alsup	Bridgers
Amos	Broadfoot
Baker	Burton
Beckworth	Callan
Bell	Carssow
Blankenship	Cauthorn
Boethel	Celaya
Bond	Cleveland

Colquitt	Mann
Davis of Haskell	McConnell
Davis of Jasper	McCracken
Davisson	McDonald
of Eastland	McFarland
Dean	McKinney
Deglandon	Metcalfe
Derden	Moffett
Dickison	Monkhouse
Dollins	Morse
Felty	Newton
Fox	Oliver
Fuchs	Palmer
Gibson	Patterson
Graves	of Travis
Hamilton	Petsch
Hankamer	Powell
Harbin	Quinn
Hardin	Ragsdale
Harrell	Reader
Harris of Dallas	Reed of Dallas
Harris of Dickens	Rhodes
Hartzog	Roark
Herzik	Ross
Holland	Russell
Hoskins	Rutta
Howard	Schuenemann
Huddleston	Settle
Hyder	Sharpe
Jackson	Shell
James	Simpson
Johnson of Ellis	Skaggs
Johnson	Smith
of Tarrant	of Matagorda
Jones of Angelina	Smith of Tarrant
Jones of Atascosa	Stevenson
Jones of Falls	Stinson
Jones of Wise	Stocks
Keefe	Talbert
Keith	Tarwater
Kelt	Tennyson
Kenyon	Thornberry
Kern	Thornton
King	Walker
Lanning	Weldon
Leonard	Westbrook
Little	Winfree
Loggins	Wood
London	Worley
Lucas	

Nays—6

Farmer	Patterson of Mills
Hanna	Reed of Bowie
Harris of Archer	Tennant

Absent

Brown	Mauritz
Cagle	McKee
Cathey	Nicholson
Harper	Pope
Heflin	Prescott
Hull	Riddle
Knetsch	Sewell
Langdon	Waggoner

Absent—Excused

Bates	Leath
Bradbury	Leyendecker
Davison of Fisher	Mays
England	Morris
Fielden	Smith of Hopkins
Lankford	Vale

REASON FOR VOTE

I voted "no" on this bill because I am constitutionally opposed to the appropriation of large sums for investigations that generally amount to a waste of time and money, especially considering the present financial condition of the State. We have already passed a resolution calling on the County Commissioners of the State to assist in old age assistance investigation and the Old Age Assistance Commission has recently fired a large group of investigators. I think this \$100,000 should go to the aged people of our State rather than for "boon doggling".

TENNANT.

HOUSE BILL NO. 847, ON SECOND READING

(By unanimous consent)

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 847, A bill to be entitled "An Act making a supplemental appropriation out of the general revenue of the State of Texas for the department of the State Auditor and Efficiency Expert to pay the salaries of temporary employed auditors and for office stationery and supplies, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

HOUSE BILL NO. 847 ON THIRD READING

Mr. Reed of Dallas moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 847 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—113

Adkins	Beckworth
Alexander	Bell
Alsup	Blankenship
Amos	Boethel
Baker	Bond

Boyer	Knetsch
Bradford	Lanning
Bridgers	Leonard
Broadfoot	Loggins
Brown	London
Burton	Lucas
Callan	Mann
Carssow	McConnell
Cauthorn	McCracken
Cleveland	McDonald
Colquitt	McFarland
Davis of Haskell	McKee
Davis of Jasper	McKinney
Davisson	Metcalfe
of Eastland	Moffett
Dean	Monkhouse
Deglandon	Morse
Derden	Newton
Dickison	Patterson of Mills
Dollins	Patterson
Farmer	of Travis
Felty	Petsch
Fox	Powell
Fuchs	Quinn
Gibson	Reader
Graves	Reed of Dallas
Hamilton	Rhodes
Hankamer	Roark
Hanna	Ross
Harrell	Russell
Harris of Archer	Rutta
Harris of Dallas	Settle
Harris of Dickens	Sharpe
Hartzog	Shell
Herzik	Simpson
Holland	Skaggs
Hoskins	Smith
Howard	of Matagorda
Huddleston	Smith of Tarrant
Hyder	Stevenson
Jackson	Stinson
James	Stocks
Johnson of Ellis	Talbert
Johnson	Tarwater
of Tarrant	Tennant
Jones of Angelina	Tennyson
Jones of Atascosa	Thornberry
Jones of Falls	Thornton
Jones of Wise	Walker
Keefe	Weldon
Keith	Winfree
Kelt	Wood
Kern	Worley
King	

Nays—2

Reed of Bowie

Absent

Hull
Kenyon
Langdon
Little
Mauritz
Nicholson

Hardin
Cagle
Cathey
Celaya
Harbin
Harper
Heflin

Oliver	Riddle
Palmer	Schuenemann
Pope	Sewell
Prescott	Waggoner
Ragsdale	Westbrook

Absent—Excused

Bates	Leath
Bradbury	Leyendecker
Davison of Fisher	Mays
England	Morris
Fielden	Smith of Hopkins
Lankford	Vale

The Speaker then laid House Bill No. 847 before the House on third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—113

Adkins	Holland
Alexander	Hoskins
Alsup	Howard
Amos	Hyder
Baker	Jackson
Beckworth	James
Bell	Johnson of Ellis
Blankenship	Johnson
Boethel	of Tarrant
Bond	Jones of Angelina
Boyer	Jones of Atascosa
Bradford	Jones of Falls
Bridgers	Jones of Wise
Broadfoot	Keefe
Brown	Keith
Burton	Kelt
Callan	Kern
Carsow	King
Cauthorn	Lanning
Cleveland	Leonard
Colquitt	Little
Davis of Jasper	Loggins
Davison	London
of Eastland	Lucas
Dean	Mann
Deglandon	McConnell
Derden	McCracken
Dollins	McDonald
Farmer	McFarland
Felty	McKee
Fox	McKinney
Fuchs	Metcalfe
Gibson	Moffett
Graves	Monkhouse
Hamilton	Morse
Hankamer	Newton
Hanna	Palmer
Harrell	Patterson of Mills
Harris of Archer	Patterson
Harris of Dallas	of Travis
Harris of Dickens	Petsch
Hartzog	Powell
Heflin	Quinn
Herzik	Reader

Reed of Dallas	Stinson
Rhodes	Stocks
Roark	Talbert
Ross	Tarwater
Russell	Tennant
Rutta	Tennyson
Settle	Thornberry
Sharpe	Thornton
Shell	Walker
Simpson	Weldon
Skaggs	Westbrook
Smith	Winfree
of Matagorda	Wood
Smith of Tarrant	Worley
Stevenson	

Nays—3

Hardin	Reed of Bowie
Huddleston	

Absent

Cagle	Mauritz
Cathey	Nicholson
Celaya	Oliver
Davis of Haskell	Pope
Dickison	Prescott
Harbin	Ragsdale
Harper	Riddle
Hull	Schuenemann
Kenyon	Sewell
Knetsch	Waggoner
Langdon	

Absent—Excused

Bates	Leath
Bradbury	Leyendecker
Davison of Fisher	Mays
England	Morris
Fielden	Smith of Hopkins
Lankford	Vale

ADDITIONAL SIGNERS OF BILL AND RESOLUTION

By unanimous consent of the House, the following Members were authorized to sign bill and resolution, as co-authors of same, as follows:

Mr. Cleveland, House Bill No. 547.

Mr. Heflin, House Joint Resolution No. 40.

ADJOURNMENT

Mr. Little moved that the House adjourn until 10:00 o'clock a. m., Monday, March 29.

Mr. Kelt moved that the House recess until 2:30 o'clock p. m., today.

Question first recurring on the motion by Mr. Little, yeas and nays were demanded.

The motion prevailed by the following vote:

Yeas—83

Adkins	Alsup
Alexander	Baker

Beckworth	Knetsch
Blankenship	Leonard
Boethel	Little
Boyer	London
Bridgers	Mann
Braodfoot	McConnell
Brown	McCracken
Burton	McDonald
Carssow	McFarland
Cauthorn	McKee
Cleveland	Monkhouse
Colquitt	Morse
Davis of Haskell	Newton
Davisson	Oliver
of Eastland	Palmer
Dean	Patterson of Mills
Deglandon	Powell
Derden	Ragsdale
Dickison	Reader
Dollins	Reed of Bowie
Felty	Reed of Dallas
Fuchs	Ross
Gibson	Russell
Hamilton	Rutta
Hankamer	Schuenemann
Hanna	Settle
Harper	Shell
Harrell	Simpson
Harris of Dallas	Smith
Harris of Dickens	of Matagorda
Hartzog	Smith of Tarrant
Hoskins	Stevenson
Howard	Stinson
Jackson	Stocks
James	Talbert
Johnson	Tennant
of Tarrant	Tennyson
Jones of Angelina	Thornton
Jones of Atascosa	Walker
Jones of Falls	Winfree
Keith	Wood

Nays—36

Amos	King
Bell	Lanning
Bond	Loggins
Bradford	Lucas
Callan	Metcalfe
Davis of Jasper	Moffett
Farmer	Patterson
Fox	of Travis
Harbin	Petsch
Hardin	Rhodes
Harris of Archer	Roark
Herzik	Sharpe
Holland	Skaggs
Huddleston	Tarwater
Johnson of Ellis	Thornberry
Jones of Wise	Weldon
Keefe	Westbrook
Kelt	Worley
Kern	

Present—Not Voting

Kenyon

Absent

Cagle	McKinney
Cathey	Nicholson
Celaya	Pope
Graves	Prescott
Heflin	Quinn
Hull	Riddle
Hyder	Sewell
Langdon	Waggoner
Mauritz	

Absent—Excused

Bates	Leath
Bradbury	Leyendecker
Davison of Fisher	Mays
England	Morris
Fielden	Smith of Hopkins
Lankford	Vale

The House, accordingly, at 1:00 o'clock p. m., adjourned until 10:00 o'clock a. m., Monday, March 29.

APPENDIX

STANDING COMMITTEE REPORTS

The following committees have filed favorable reports on bills and resolutions, as follows:

Constitutional Amendments: House Joint Resolutions Nos. 30 and 40.

Commerce and Manufacturers: House Bill No. 389.

Criminal Jurisprudence: House Bills Nos. 504, 527, 922 and 940.

Counties: House Bill No. 786; Senate Bill No. 304.

Highways and Motor Traffic: House Bills Nos. 26, 775, 880, 1023 and 1030.

State Affairs: House Bill No. 840.

The following committees have filed adverse reports on bill and resolution, as follows:

Constitutional Amendments: House Joint Resolution No. 37.

Commerce and Manufactures: House Bill No. 926.

The Committee on Constitutional Amendments filed an adverse report, with a minority favorable report, on House Joint Resolution No. 31.

REPORTS OF THE COMMITTEE ON ENROLLED BILLS

Committee Room,

Austin, Texas, March 26, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 509, "An Act requiring any person hunting any quail outside of the county of his residence upon the private lands of another person in Montague County, to first obtain and have in his possession a written permit; providing that the provision shall not apply where such person is so hunting in company with the owner or agent of such lands; providing other necessary regulations pertaining to the obtaining of such permit; providing that the failure to have in possession such valid permit shall be prima facie evidence of guilt; providing a suitable penalty for violation of any provision of this Act; providing it shall be the duty of the peace officers operating in any county affected by the provisions of this Act to enforce the provisions of this Act, and repealing all laws in so far as they conflict with any provisions of this Act."

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

Austin, Texas, March 26, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 714, "An Act making an emergency appropriation out of the Special Racing Fund of Ten Thousand, Two Hundred and Sixty (\$10,260.00) Dollars to the Texas Racing Commission for the remainder of the fiscal year ending August 31, 1937, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

Austin, Texas, March 25, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 75, Authorizing the State Highway Department to lend equipment to the cities of Eastland and Centerville.

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

In Memory of

Mr. Lemuel Letcher Byrd

Mr. Harris of Dallas offered the following resolution:

Whereas, The House has learned, with regret, of the death of Mr. Lemuel Letcher Byrd of Rinehardt, Texas; and

Whereas, Mr. Lemuel Letcher Byrd was an honored and valuable citizen of said community, whose death is a distinct loss to his county and State; now, therefore, be it

Resolved by the House of Representatives of the State of Texas, That the Members thereof regret exceedingly the untimely passing of this worthy citizen and deeply sympathize with his bereaved family; and, be it further

Resolved, That a copy of this resolution be spread upon the House Journal of today, and when the House adjourns today that is do so in respect and memory of Mr. Lemuel Letcher Byrd; and, be it further

Resolved, That the Chief Clerk of the House of Representatives be instructed to send copies of this resolution to the members of the family.

The resolution was read second time.

Signed—Calvert, Speaker; Adkins, Alexander, Alsup, Amos, Baker, Bates, Beckworth, Bell, Blankenship, Boethel, Bond, Boyer, Bradbury, Bradford, Bridgers, Broadfoot, Brown, Burton, Cagle, Callan, Carssow, Cathey, Cauthorn, Celaya, Cleveland, Colquitt, Davis of Haskell, Davis of Jasper, Davison of Fisher, Davisson of Eastland, Dean, Deglandon, Derden, Dickison, Dollins, England, Farmer, Felty, Fielden, Fox, Fuchs, Gibson, Graves, Hamilton, Hankamer, Hanna, Harbin, Hardin, Harper, Harrell, Harris of Archer, Harris of Dickens, Hartzog, Heflin, Herzik, Holland, Hoskins, Howard, Huddleston, Hull, Hyder, Jackson, James, Johnson of Ellis, Johnson of Tarrant, Jones of Angelina, Jones of Atascosa, Jones of Falls, Jones of Wise, Keefe, Keith, Kelt, Kenyon, Kern, King, Knetsch, Langdon, Lankford, Lanning, Leath, Leonard, Leyendecker, Little, Loggins, London, Lucas, Mann, Mays, McConnell, McCracken, McDonald, McFarland, McKee, McKinney, Metcalfe, Moffett, Monkhouse, Morris, Morse, Newton, Nicholson, Oliver, Palmer, Patterson of Mills, Patterson of Travis, Petsch, Pope, Powell, Prescott, Quinn, Ragsdale, Reader, Reed of Bowie, Reed of Dallas, Rhodes, Riddle, Roark, Ross, Russell, Rutta, Schuenemann, Settle, Sewell, Sharpe, Shell, Simpson, Skaggs, Smith of Hopkins, Smith of Matagorda, Smith of Tarrant, Stevenson, Stinson, Stocks, Talbert, Tarwater, Tennant, Tennyson, Thornberry, Thornton, Vale, Waggoner, Walker, Weldon, Westbrook, Winfree, Wood and Worley.

On motion of Mr. Boyer, the names of all the Members of the House were added to the resolution as signers thereof.

The resolution was unanimously adopted.